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September 30, 2025

VIA ECF

The Honorable Steven L. Tiscione
United States District Court
Eastern District of New York
100 Federal Plaza
Courtroom 910, Chambers 914
Central Islip, NY 11722

Re: Letter Motion for Removal from Mediation Program
Dreams USA, Inc. v. Raw Goods, LLC et al.
Case No. 2:25-cv-01880

Dear Judge Tiscione:

On behalf of Plaintiff Dreams USA, Inc., we write to request that: (1) this case be removed from the Court-Annexed Mediation Program; and (2) the Court vacate the remaining mediation-related deadlines in the Court's August 14, 2025 Order for the following reasons:

1. The parties initially requested a referral to the mediation program pursuant to Local Rule 83.8 in their Joint Preliminary Report and Discovery Plan, filed July 7, 2025. *See* Dkt. No. 29.
2. The Court referred the case to mediation on July 14, 2025. *See* Dkt. No. 32.
3. On August 14, 2025, the parties jointly moved for an extension of time to complete all mediation-related deadlines. *See* Dkt No. 35.
4. The Court granted the August 14th motion, resetting the deadline to select a Mediator for September 23rd, and the deadline to file the selection of Mediator with the Court for September 30th.
5. On September 15th, the parties selected a mediator. Between September 17th and September 30th, Plaintiff's counsel attempted to schedule a mediation date with Defendants' counsel and the selected mediator.
6. Defendants' counsel did not respond until re-prompted on Sept. 30th, when he provided separate dates for each of the three Defendants and conveyed, for the first time, that the Defendants would not agree to mediate together.
7. Plaintiff is not amenable to mediating separately as to each Defendant. Thus, the parties are at an impasse as to scheduling mediation.

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In light of the parties' irreconcilable differences as to the form of the mediation, we respectfully request that this case be removed from the Court-Annexed Mediation Program.

Thank you for Your Honor's time and attention to this matter.

Very truly yours,

/s/ Laurel M. Rogowski

LAUREL M. ROGOWSKI

Attorney for Plaintiff Dreams

USA, Inc.

cc: Counsel of Record via ECF